

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 SAM-01

/070 W

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P 191715Z NOV 76

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 8011

UNCLAS MADRID 8814

E.O.11652: N/A

TAGS: PINT, SP

SUBJECT: TEXT OF APPROVED POLITICAL REFORM BILL

REF: (A) MADRID 8775, (B) MADRID 8663

FOLLOWING IS UNOFFICIAL TRANSLATION OF THE TEXT OF THE
POLITICAL REFORM BILL APPROVED LATE NOVEMBER 18 WITH A
VOTE OF 425 FOR, 59 AGAINST, AND 13 ABSTENTIONS. THIRTY
FOUR MEMBERS WERE ABSENT. THE "NEW MATERIAL" DESIGNATION
INDICATES CHANGES AND OR ADDITIONS MADE IN THE PLENARY.

"ARTICLE 1.

1. DEMOCRACY IN THE SPANISH STATE IS BASED ON THE
SUPREMACY OF LAW, THE EXPRESSION OF THE SOVEREIGN WILL OF
THE PEOPLE.

THE FUNDAMENTAL RIGHTS BEGAN NEW MATERIAL OF THE PERSON
END NEW MATERIAL ARE INVIOABLE AND ARE BINDING UPON ALL THE
ORGANS OF THE STATE.

2. THE POWER TO PREPARE AND APPROVE LAWS RESTS IN THE
CORTES. THE KING SACTIONS AND PROMULGATES THE LAWS.

ARTICLE 2.

1. THE CORTES IS COMPOSED OF THE CONGRESS OF DEPUTIES
AND OF THE SENATE.

2. THE SEPUTIES OF THE CONGRESS WILL BE ELECTED BY
DIRECT AND SECRET UNIVERSAL SUFFRAGE OF SPANIARDS WHO HAVE
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REACHED THEIR MAJORITY.

3. SENATORS WILL BE ELECTED IN REPRESENTATION OF THE TERRITORIAL ENTITIES. THE KING WILL BE ABLE TO DESIGNATE FOR EACH LEGISLATURES SENATORS IN A NUMBER NOT GREATER THAN THE FIFTH PART OF THOSE ELECTED.
4. THE DURATION OF THE MANDATE OF DEPUTIES AND SENATORS WILL BE FOUR YEARS.
5. THE CONGRESS AND THE SENATE WILL ESTABLISH THEIR OWN RULES AND ELECT THEIR RESPECTIVE PRESIDENTS.
6. THE PRESIDENT OF THE CORTES AND OF THE COUNCIL OF THE REALM WILL BE NAMED BY THE KING.

ARTICLE 3.

1. THE INITIATIVE FOR CONSTITUTIONAL REFORM WILL CORRESPOND:
 - A) TO THE GOVERNMENT.
 - B) TO THE CONGRESS OF DEPUTIES.
2. ANY CONSTITUTIONAL REFORM WILL REQUIRE THE APPROVAL BY ABSOLUTE MAJORITY OF THE MEMBERS OF THE CONGRESS AND OF THE SENATE. THE SENATE WILL CONSIDER THE TEXT PREVIOUSLY APPROVED BY THE CONGRESS, AND IF IT IS NOT ACCEPTED IN THE SAME TERMS, THE DIFFERENCES WILL BE SUBMITTED TO A MIXED COMMISSION, UNDER THE PRESIDENCY OF HE WHO HOLDS THAT OF THE CORTES, AND OF WHICH WILL FORM PART THE PRESIDENTS OF THE CONGRESS AND OF THE SENATE, FOUR DEPUTIES AND FOUR SENATORS, ELECTED BY THEIR RESPECTIVE CHAMBERS. IF THIS COMMISSION DOES NOT REACH AGREEMENT OR IF THE TERMS OF THE AGREEMENT DO NOT OBTAIN THE APPROVAL OF ONE AND THE OTHER CHAMBER, THE DECISION WILL BE ADOPTED BY ABSOLUTE MAJORITY OF THE COMPONENTS OF THE CORTES IN JOINT SESSION OF BOTH CHAMBERS.
3. THE KING, BEFORE APPROVING A CONSTITUTIONAL REFORM LAW, SHALL SUBMIT THE BILL TO A NATIONAL REFERENDUM

ARTICLE 4

IN THE HANDLING OF ORDINARY BILLS, THE SENATE WILL CONSIDER THE TEXTS PREVIOUSLY APPROVED BY THE CONGRESS. IN THE CASE THAT IT IS NOT ACCEPTED IN THE SAME TERMS. THE DIFFERENCES WILL BE SUBMITTED TO A MIXED COMMISSION, COMPOSED IN THE SAME WAY AS IS ESTABLISHED IN THE PREVIOUS ARTICLE. IF THIS COMMISSION DOES NOT REACH AGREEMENT OR IF THE TERMS OF THE AGREEMENT DO NOT OBTAIN THE APPROVAL, BY SIMPLE MAJORITY, OF ONE AND THE OTHER CHAMBER, THE GOVT

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WILL BE ABLE TO REQUEST THE CONGRESS OF DEPUTIES TO RESOLVE (THE MATTER) DEFINITELY BY ABSOLUTE MAJORITY OF ITS MEMBERS

ARTICLE 5

THE KING WILL BE ABLE TO SUBMIT DIRECTLY TO THE PEOPLE A POLITICAL OPTION OF NATIONAL INTEREST, WHETHER OR NO OF A CONSTITUTIONAL NATURE SO THAT THEY MAY DECIDE BY MEANS OF A REFERENDUM, THE RESULT OF WHICH WILL APPLY TO ALL

TRGANS OF THE STATE.

IF THE SUBJECT OF THE CONSULATATIONS REFERS TO MATERIAL
WITHIN THE COMPETENCE OF THE CORTES AND THE CORTES DOES
NOT TAKE THE CORRESPONDING DECISION IN AGREEMENT WITH THE
RESULTS OF THE REFERENDUM, THE CORTES WILL BE DISSOLVED,
AND NEW ELECTIONS WILL BE CALLED.

TRANSITORY DISPOSITIONS

FIRST. THE GOVT WILL REGULATE THE FIRST ELECTIONS TO THE CORTES
IN ORDER TO CONSTITUTE A CONGRESS OF ETP DEPUTIES AND ELECT
NEGIN NEW MATERIAL 207 END NEW MATERIAL SENATORS FOUR FOR EACH
PROVINCE AND BEGIN NEW MATERIAL ON MORE FOR EACH INSULAR PROVINCE
END OF NEW MATERIAL TWO FOR CEUTA AND TWO FOR MELILLA. THE
SENATORS WILL BE ELECTED BY DIRECT AND SECRET UNIVERSAL SUFFRAGE
OF SPANIARDS WHO HAVE REACHED THEIR MAJORITY WHO RESIDE IN THEIR
RESPECTIVE TERRITORIES.

THE ELECTIONS TO THE CONGRESS WILL FOLLW CRITERIA OF PROPORTIONAL
REPRESENTATION NEGIN NEW MATERIAL IN ACCORDANCE WITH THE FOLLOWING
BASES.

1. CORRECTIVE DISPOSITION WILL BE APPLIED TO AVOID
THE UNSUITABLE (INCONVEIENTE) FRAGMENTATION OF THE CHAMBER
TO WHICH EFFECT MINIMUM PERCENTAGE OF VOTE FOR ACCESS
TO THE CONGRESS WILL BE FIXED.

2. THE ELECTORAL DISTRICT (CIRCUNSCRICION) WILL BE
THE PROVINCE, AND INITIAL MUMIMUM NUMBER OF DEPUTIES
BEING FIXED FOR EACH ONE OF THEM, END NEW MATERIAL.
THE ELECIONS TO THE SENATE WILL FOLLOW CRITERIA
OF MAJORITY SCRUTINY.

SECOND ONCE THE NEW CORTES IS CONSTITUTED.

1.A COMMISSION COMPOSED OF THE TPRESIDENT OF THE CORTES,
OF THE CONGRESS OF DEUPTIES AND OF THE SENATE, OF FOUR DEPUTIES
ELECTED BY THE CONGRESS AND FORU SENATOR ELECTED BY THE SENATE,
WILL ASSUME THE FUNCTIONS WHICH ARTICLE 13 OF THE LAW
OF THE CORTES GIVES TO THE COMMISSION WHICH IT MENTIONS.

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2. EACH CHAMBER WILL ESTABLISH A COMMISSION TO ASSUME
THE OTER FUNCTIONS GIVEN TO THE COMMISSION CONTEMPLATE IN
ARTICLE OF THE LAW OF THE CORTES.

3. EACH CHAMBER WILL ELECT FROM AMONG ITS MEMBERS FIVE
COUNCILORS OF THE REALM TO GOVERN THE VANCANIES PRODUCED BY
THE CESSATIONS OF THE CURRENT ELECTIVE COUNCILORS.

THIRD BEGINNING WITH THE ESTABLISHMENT OF THE NEW CORTES
AND UNTIL EACH CHAMBER ESTABLISHES ITS OWN REULES IT WILL BE
RULED BY THOSE OF THE CURRENT CORTES INsofar AS THEY DO NOT
CONTRADICT THIS LAW, WITHOUT PREJUDICE TO THE ABILITY TO AGREE
ON, IN AN IMMEDIATE WAY, THE PARTIAL MODIFICATIONSWHICH MAY
BECOME NECESSARY OR BE CONSIDERED USEFUL.

FINAL DISPOSITION. THIS LAW WILL HAVE THE QUALITY OF
FUNDAMENTAL (LAW)."

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT REFORM, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MADRID08814
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760432-0864
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761131/aaaabaaz.tel
Line Count: 169
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 MADRID 8775, 76 MADRID 8663
Review Action: RELEASED, APPROVED
Review Authority: powellba
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 AUG 2004 by vandyklc>; APPROVED <18 NOV 2004 by powellba>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TEXT OF APPROVED POLITICAL REFORM BILL
TAGS: PINT, SP
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006